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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,620	04/07/2005	Vincentius Paulus Buil	NL 021025	6984
24737 7590 03/19/2008 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER				
BELOUSOV, ANDREY				
ART UNIT		PAPER NUMBER		
2174				
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03/19/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/530,620

Applicant(s)

BUIL ET AL.

Examiner

ANDREY BELOUSOV

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is in response to the amendment filed on December 7, 2007. Claims 1-5 and 7 are pending and have been considered below. Claim 6 has been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Khosla et al. (6,202,061.)

Claim 1, 3, 5: Khosla discloses a system for enabling a user to manipulate a user interface, the system comprising:

- a. receiving means conceived to receive a selection (Fig. 9: 901: criteria; e.g. select all images with "roses") from the user (Fig. 2: 519, 517);
- b. generating means (Fig. 2: 501) conceived to generate a generated-collection (Fig. 12E: 803) that comprises the at least one item ("roses" thumbnail: Fig. 12E: 1251) that matches the selection (criteria: Fig. 9: 901); and
- c. presentation means (Fig. 2: 511, 513) conceived to present to the user, through the user interface (Fig. 12E: 1250), an overview (thumbnails: Fig. 12E:305) of the

generated-collection and at least one collection (user created album after the selection: Fig. 9: 907-911; Fig. 12E: 309) that matches the selection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khosla.

Claim 2, 4, 7: Khosla discloses a system for enabling a user to manipulate a user interface according to claim 1,

- a. wherein a selection-criterion (search parameters/criteria: Fig. 9: 901) defines the selection, the at least one item is labeled by an item-label (e.g. "Roses": Fig. 8A: 810a), the at least one collection is labeled by a collection-label (Fig. 12E: 805);
and
- b. the generated-collection comprises the at least one item of which the item-label (e.g. "roses": Fig. 8A: 810a) matches the selection-criterion (Fig. 9: 901: criteria;
e.g. select all images with "roses"); and
- c. the overview comprises the generated-collection (Fig. 12E: 305)

However, Khosla does not explicitly disclose that the at least one collection of which the collection-label matches the selection-criterion.

The Examiner takes Official Notice that it is old and well known in the computing arts to allow custom naming of collections, such as an album. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to name the album, and it would have been a mere design choice to name it, for example, "roses" or other search corresponding title such that it would match the selection-criterion. One would have been motivated to name a collection to correspond to a selection-criterion for subsequent retrieval without having to look through all collections.

Response to Arguments

4. Applicant's arguments filed December 7, 2007 have been fully considered but they are not persuasive. Applicant's argument that Khosla does not disclose, teach, or suggest "presentation means conceived to present to the user, through the user interface, an overview of the generated-collection and at least one collection that matches the selection," as recited in claim 1 and similarly recited in claim 3, has been fully considered but is not persuasive. The limitations of claim 1 as amended are disclosed in Khosla as follows:

presentation means (Fig. 2: 511, 513) conceived to present to the user, through the user interface (Fig. 12E: 1250), an overview (thumbnails: Fig. 12E:305) of the

generated-collection and at least one collection (user created album after the selection: Fig. 9: 907-911; Fig. 12E: 309) that matches the selection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

March 5, 2008

/David A Wiley/
Supervisory Patent Examiner, Art Unit 2174